

02-12-01

PTO/SB/05 (08/00)

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Approved for use through 10/31/2002. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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J1042 U.S. PTO  
02/09/01

**UTILITY  
PATENT APPLICATION  
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. **061607-1420**First Inventor **Scott**Title **SYSTEM AND METHOD FOR STATISTICAL CONTROL OF POWER DISSIPATION WITH HOST ENFORCEMENT**Express Mail Label No **EL 763766203 US**PTO/SB/05  
02/09/01

<b>APPLICATION ELEMENTS</b> See MPEP Chapter 600 concerning utility patent application contents		<b>ADDRESS TO:</b> Assistant Commissioner for Patents Box Patent Application Washington, DC 20231
<input type="checkbox"/> APPLICANT REQUESTS EARLY PUBLICATION UNDER 37 CFR 1.219 (additional fee)		

1. <input checked="" type="checkbox"/>	Fee Transmittal Form (e.g., PTO/SB/17) (Submit an original, and a duplicate for fee processing)	7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)	
2. <input type="checkbox"/>	Applicant claims small entity status.	8. <input type="checkbox"/> Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)	
3. <input checked="" type="checkbox"/>	Specification (preferred arrangement set forth below)  - Descriptive title of the invention - Cross References to Related Applications - Statement Regarding Fed. Sponsored R&D - Reference to sequence listing, a table, or a computer program listing appendix - Background of the Invention - Brief Summary of the Invention - Brief Description of the Drawings (if filed) - Detailed Description - Claim(s) - Abstract of the Disclosure	4. <input type="checkbox"/> Total Pages <b>42</b>	9. <input checked="" type="checkbox"/> Assignment Papers (cover sheet & Documents(s))
4. <input checked="" type="checkbox"/>	Drawing(s) (35 USC 113)	5. <input type="checkbox"/> Total Sheets <b>6</b>	10. <input type="checkbox"/> 37 CFR 3.73(b) Statement (when there is an assignee) <input type="checkbox"/> Power of Attorney
5. <input type="checkbox"/>	Oath or Declaration	6. <input type="checkbox"/> Total Pages <b>2</b>	11. <input type="checkbox"/> English Translation Document (if applicable)
a. <input checked="" type="checkbox"/>	Newly Executed (original or copy)	12. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449	13. <input type="checkbox"/> Copies of IDS Citations
b. <input type="checkbox"/>	Copy from a prior application (37 CFR §1.63(d)) (for continuation/divisional with Box 17 completed)	14. <input checked="" type="checkbox"/> Preliminary Amendment	15. <input type="checkbox"/> Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
i. <input type="checkbox"/>	<b>DELETION OF INVENTOR(S)</b> Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).	16. <input checked="" type="checkbox"/> Certified Copy of Priority Document(s) (if foreign priority is claimed)	17. <input type="checkbox"/> Request and Certification under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent
6. <input checked="" type="checkbox"/>	Application Data Sheet. See 37 CFR 1.76	Other	Other
Assignee Name and Address (if applicable) <b>Paradyne Corporation 8545 126<sup>th</sup> Avenue, N. Largo, FL 34649</b>			

18. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

 Continuation Divisional Continuation-in-part (CIP)

of prior application No: /

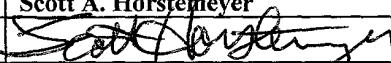
Group / Art Unit: \_\_\_\_\_

Prior application information: Examiner \_\_\_\_\_

For CONTINUATION OR DIVISIONAL APPS only. The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. This incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts

**18. CORRESPONDENCE ADDRESS**

<input checked="" type="checkbox"/> Customer Number or Bar Code Label	<b>24504</b>	or <input type="checkbox"/> Correspondence address below	
(Insert Customer No. or Attach bar code label here)			
NAME	<b>Scott A. Horstemeyer Thomas, Kayden, Horstemeyer &amp; Risley, L.L.P.</b>		
ADDRESS	<b>100 Galleria Parkway Suite 1750</b>		
CITY	<b>Atlanta</b>	STATE <b>Georgia</b>	ZIP CODE <b>30339-5948</b>
COUNTRY	<b>U.S.A.</b>	TELEPHONE <b>770-933-9500</b>	FAX <b>770-951-0931</b>

Name (Print/Type)	<b>Scott A. Horstemeyer</b>	Registration No. (Attorney/Agent)	<b>34,183</b>
Signature			Date <b>02/09/01</b>

Burden Hour Statement: This form is estimated to take 0 2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Clue Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

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# FEE TRANSMITTAL for FY 2000

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT | (\$ 1,162.00)

## Complete If Known

Application Number	To Be Assigned
Filing Date	Herewith
First Named Inventor	Scott
Examiner Name	To Be Assigned
Group / Art Unit	To Be Assigned
Attorney Docket No.	061607-1420

## METHOD OF PAYMENT

1.  The Commissioner is hereby authorized to charge to the following Deposit Account.

Deposit Account Number	16-0255
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Deposit Account Name	Paradyne Corporation's
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Charge all indicated fees and any additional fee required or credit any overpayment.

Charge any additional fee required and requested to credit  Applicant claims small entity status. See 37 CFR 1.27

2.  Payment Enclosed:

Check  Money Order  Credit Card

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension of time within second month	
117	890	217	445	Extension of time within third month	
118	1,390	218	695	Extension of time within fourth month	
128	1,890	228	945	Extension of time within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt.	
581	40	581	40	Recording each patent assignment per property (time number of properties)	40.00
146	710	246	355	Filing a submission after final rejection (37 CFR 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	\$710
106	320	206	160	Design filing fee	\$
107	490	207	245	Plant filing fee	\$
108	710	208	355	Reissue filing fee	\$
114	150	214	75	Provisional filing fee	\$
SUBTOTAL (1)				(\$710.00)	

## 2. EXTRA CLAIM FEES

	Extra Claims	Fee from below	Fee Paid
Total Claims	34	-20** = 14 x 18.00 = 252	
Independent Claims	5	-3** = 2 x 80.00 = 160	
Multiple Dependent		270.00 =	

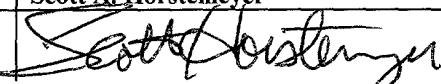
\*\*or number previously paid, if greater; For Reissue, see below

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent Claims in excess of 3
104	270	204	135	Multiple dependent claims in excess of 3
109	80	209	40	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent
SUBTOTAL (2)				(\$412.00)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) 40.00

Complete (if applicable)

SUBMITTED BY	Scott A. Horstemeier	Reg. Number	34,183
Typed or Printed Name			
Signature		Date	10/09/01

Burden Hour Statement. This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO Assistant Commissioner for Patents, Washington, DC 20231.

**REQUEST AND CERTIFICATION  
UNDER  
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor	Scott
Title	SYSTEM AND METHOD FOR STATISTICAL CONTROL OF POWER DISSIPATION WITH HOST ENFORCEMENT
Attorney Docket No.	061607-1420

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

02/09/01  
Date

  
Signature

Scott A. Horstemeyer

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**